

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHERYL BARAHONA and KUBA
OSTACHIEWCZ, on Behalf of Themselves
and Others Similarly Situated,

Plaintiffs,

v.

T-MOBILE USA, INC.,

Defendant.

No. 08-cv-1631 RSM

PLAINTIFFS' SEVENTH STATUS
REPORT OF PROCEEDINGS BEFORE
THE FEDERAL COMMUNICATIONS
COMMISSION

1 On January 14, 2010, counsel for Plaintiffs caused to be filed with the Federal
2 Communications Commission ("FCC") a Petition for an Expedited Declaratory Ruling That
3 Section 332 of the FCA Does Not Preempt State Law Protecting Consumers Against Unlawful
4 Penalty Fees ("Petition").

5 On or about February 22, 2010, the FCC filed a Public Notice, seeking comment on this
6 Petition. Comments were submitted to the FCC by April 7, 2010, and Reply Comments were
7 submitted by May 7, 2010. The matter is referenced as: WTB Docket No. 10-42 and the
8 Petition is still currently pending before the FCC.

9 Dated: July 30, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2013, I electronically filed the foregoing document using the CM/ECF system which will send notification of such filing to the e-mail addresses registered in the CM/ECF system, as denoted on the Electronic Mail Notice List, and I hereby certify that I have caused to be mailed a paper copy of the foregoing document via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List generated by the CM/ECF system.

/s/ Shana E. Scarlett
SHANA E. SCARLETT